

1 **REMARKS**

2 Claim 12 is cancelled, claims 1, 13, 17, 23, 30, 31, 32, 38 and 39 are
3 currently amended and claims 1-11 and 13-41 remain in the Application for
4 consideration. In view of the following remarks, Applicant traverses the Office's
5 rejections and respectfully requests that the Application be forwarded on to
6 issuance.

7
8 **Examiner Communication**

9 Applicant's representative attempted to arrange an interview with Examiner
10 Shah but was unsuccessful in doing so due to scheduling conflicts between
11 Applicant's representative and the Examiner. Nonetheless, Applicant encourages
12 the Examiner to contact Applicant's representative in order to expedite the
13 prosecution of this Application.

14
15 **§ 112, Second Paragraph, Rejections**

16 Claims 30, 31, 38 and 39 stand rejected under 35 U.S.C. § 112, second
17 paragraph, as allegedly being indefinite for failing to particularly point out and
18 distinctly claim the subject matter which Applicant regards as the invention.
19 While Applicant respectfully disagrees, Applicant has nonetheless amended the
20 claims to overcome the rejection. Accordingly, Applicant respectfully requests
21 that the rejections under § 112, second paragraph, be withdrawn.

1 **§ 101 Rejections**

2 Claims 17-22 stand rejected under 35 U.S.C. § 101 for allegedly being
3 directed to non-statutory subject matter. While Applicant respectfully disagrees,
4 Applicant has nonetheless amended claim 17 to overcome the rejection.

5
6 **§ 102 and § 103 Rejections**

7 Claims 1-11, 14-22, 40 and 41 stand rejected under 35 U.S.C. § 102(b) as
8 being anticipated by “Security Issues in Online Games” by Jianxin Jeff Yan, et al.
9 (hereinafter “Yan”).

10 Claims 13, 23, 24, 27-33 and 35-39 stand rejected under 35 U.S.C. § 103(a)
11 as being obvious over Yan in view of U.S. Patent No. 6,979,267 to Leen, et al.
12 (hereinafter “Leen”).

13 Claims 25, 26 and 34 stand rejected under 35 U.S.C. § 103(a) as being
14 obvious over Yan in view of Leen and further in view of U.S. Patent Pub. No.
15 2003/0216962 to Heller, et al. (hereinafter “Heller”).

16
17 **The Claims**

18 **Claim 1** is amended, and as amended recites a method comprising [added
19 language is indicated in bold italics]:

- 20
- 21 • monitoring players in a game;
 - 22 • based on said monitoring, identifying one or more player-exploitable game
23 conditions, wherein at least some of the player-exploitable game conditions
24 are produced by the game itself and are identified, at least in part, by
25 observing a player’s play of the game; *and*
 - *setting a threshold against which the play of a number of players is
 compared, wherein the threshold can be modified in real time.*

1 In making out the rejection of this claim, the Office argues that its subject
2 matter is anticipated by Yan. While Applicant respectfully disagrees, Applicant
3 has nonetheless amended this claim. As such, Applicant submits that Yan fails to
4 disclose or suggest all of the amended claim's recited features.

5 Specifically, Yan neither discloses nor suggests at least the feature of
6 *setting a threshold against which the play of a number of players is compared,*
7 *wherein the threshold can be modified in real time.* This feature is simply
8 missing from Yan.

9 Accordingly, and for at least the reason discussed above, Yan fails to
10 anticipate this claim and this claim is allowable.

11 **Claims 2-11, 13-16 and 40-41** depend from claim 1 and thus are allowable
12 as depending from an allowable base claim. These claims are also allowable for
13 their own recited features which, in combination with those recited in claim 1, are
14 neither disclosed nor suggested by the references of record.

15 In addition, to the extent that claim 1 is allowable, the further rejection of
16 claim 13 as being obvious over Yan in view of Leen is not seen to add anything of
17 significance.

18 **Claim 17** is amended, and as amended recites an apparatus implemented at
19 least in part by a computing device comprising:

- 20
- 21 • *a processor;*
- 22 • *one or more computer readable media; and*
- 23 • *a computer program encoding* a game including a cheater detection
24 portion that identifies one or more player-exploitable game conditions and
25 detects players who are exploiting at least one of said player-exploitable
game conditions, wherein at least some of the player-exploitable game
conditions are produced by the game itself and are identified, at least in
part, by observing a player's play of the game, *and wherein the cheater*

1 *detection portion further sets a threshold against which the play of a*
2 *number of players is compared, wherein the threshold can be modified in*
3 *real time.*

4 In making out the rejection of this claim, the Office argues that its subject
5 matter is anticipated by Yan. While Applicant respectfully disagrees, Applicant
6 has nonetheless amended this claim. As such, Applicant submits that Yan fails to
7 disclose or suggest all of the amended claim's recited features.

8 Specifically, Yan neither discloses nor suggests at least the feature of
9 *wherein the cheater detection portion further sets a threshold against which the*
10 *play of a number of players is compared, wherein the threshold can be modified*
11 *in real time.* This feature is simply missing from Yan.

12 Accordingly, and for at least the reason discussed above, Yan fails to
13 anticipate this claim and this claim is allowable.

14 **Claims 18-22** depend from claim 17 and thus are allowable as depending
15 from an allowable base claim. These claims are also allowable for their own
16 recited features which, in combination with those recited in claim 17, are neither
17 disclosed nor suggested by the references of record.

18 **Claim 23** is amended, and as amended recites a method comprising [added
19 language is indicated in bold italics]:

- 20
- 21 • setting a threshold for a game, *wherein the threshold can be*
22 *modified in real time;*
 - 23 • monitoring play of a plurality of players for the game;
 - 24 • determining whether the threshold is exceeded for any of the players
25 of the game; and
 - logging the play of the player whose play exceeds the threshold.

1 In making out the rejection of this claim, the Office argues that its subject
2 matter is obvious over Yan in view of Leen. While Applicant respectfully
3 disagrees, Applicant has amended the claim and submits that the cited
4 combination of references fails to establish a *prima facie* case of obviousness with
5 respect to this amended claim for at least the reason that the cited references fail to
6 disclose or suggest all of this claim's recited features:

7 Specifically, neither reference discloses or suggests the feature of setting a
8 threshold for a game, *wherein the threshold can be modified in real time*. This
9 feature is simply absent from the cited references.

10 Accordingly, and for at least this reason, the cited combination of
11 references fails to establish a *prima facie* case of obviousness with respect to this
12 claim and this claim is allowable.

13 **Claims 24-31** depend from claim 23 and thus are allowable as depending
14 from an allowable base claim. These claims are also allowable for their own
15 recited features which, in combination with those recited in claim 23, are neither
16 disclosed nor suggested by the references of record.

17 In addition, to the extent that claim 23 is allowable, the further rejection of
18 claims 25 and 26 over Yan in view of Leen and in further view of Heller is not
19 seen to add anything of significance.

20 **Claim 32** is amended, and as amended recites a computer readable medium
21 having computer executable instructions that, when executed by a processor,
22 causes the processor to [added language is indicated in bold italics]:

- 23
- 24 • set a threshold for a game, *wherein the threshold can be modified in*
real time;
 - 25 • monitor play of a plurality of players for the game; and

- determine whether the threshold is exceeded for any of the players of the game.

In making out the rejection of this claim, the Office argues that its subject matter is obvious over Yan in view of Leen. While Applicant respectfully disagrees, Applicant has amended the claim and submits that the cited combination of references fails to establish a *prima facie* case of obviousness with respect to this amended claim for at least the reason that the cited references fail to disclose or suggest all of this claim's recited features.

Specifically, neither reference discloses or suggests the feature of setting a threshold for a game, *wherein the threshold can be modified in real time*. This feature is simply absent from the cited references.

Accordingly, and for at least this reason, the cited combination of references fails to establish a *prima facie* case of obviousness with respect to this claim and this claim is allowable.

Claims 33-39 depend from claim 32 and thus are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 32, are neither disclosed nor suggested by the references of record. In addition, to the extent that claim 32 is allowable, the further rejection of claim 34 over Yan in view of Leen and in further view of Heller is not seen to add anything of significance.

Conclusion

All of the claims are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next

1 anticipated action is to be anything other than issuance of a Notice of Allowability,
2 Applicant respectfully requests a telephone call for the purpose of scheduling an
3 interview.
4

5 Respectfully Submitted,

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7 Dated: 11/6/06

8 By: 

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